

By SUTTON BY REQUEST.]

[SENATE FILE No. 282.—JUDICIARY.]

A BILL

FOR AN ACT RELATING TO THE GRANTING OF NEW TRIALS, OR PRACTICE
IN THE SUPREME COURT.

Be it enacted by the General Assembly of the State of Iowa :

SECTION 1. Whenever any cause which was tried in the court below to a jury shall come
2 and be before the Supreme Court upon appeal, and among the errors of the court below
3 complained of it shall appear that the court below refused to set aside the verdict of the
4 jury and grant a new trial because the verdict was against the evidence or against the great
5 preponderance or weight of evidence, the Supreme Court shall consider such evidence as
6 the record discloses ; and if it shall appear therefrom that the verdict was against the evi-
7 dence or against the weight of evidence, and that the court below ought, because thereof,
8 to have granted a new trial, the Supreme Court shall make such order as the court below
9 should have made, and direct a new trial, or such other entry as the record shows ought to
10 have been made.